

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Shawn W. McClung,
5 Plaintiff

6 v.

7 Aztec Inn Casino, Ltd.,
8 Defendant
9

2:16-cv-00382-JAD-CWH

**Order Adopting Report and
Recommendation and
Dismissing Case**

[ECF No. 6]

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11 Shawn McClung brings this civil-rights action against Aztec Inn Casino, Ltd., for alleged
12 violations of the Americans with Disabilities Act, and he also applied to proceed *in forma pauperis*.¹
13 Magistrate Judge Hoffman denied McClung's application to proceed *in forma pauperis* and ordered
14 McClung to pay the filing and administrative fees by June 16, 2017.² Judge Hoffman warned that if
15 McClung failed to comply with the order, he would recommend dismissal of this case without
16 prejudice.³ McClung failed to comply with this order and as a result, Magistrate Judge Hoffman now
17 recommends that this case be dismissed without prejudice.⁴

18 The report and recommendation was entered June 21, 2017, making July 5, 2017, the
19 deadline to file an objection. McClung has not filed any objection to the report and
20 recommendation. "[N]o review is required of a magistrate judge's report and recommendation
21 unless objections are filed."⁵

22 ¹ ECF Nos. 1, 1-1.

23 ² ECF No. 4.

24 ³ *Id.*

25 ⁴ ECF No. 6.

26 ⁵ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S.
27 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 Accordingly, with good cause appearing and no reason to delay, IT IS HEREBY ORDERED
2 that Magistrate Judge Hoffman's report and recommendation [ECF No. 6] is **ACCEPTED and**
3 **ADOPTED**; and McClung's claims are **DISMISSED**. The Clerk of Court is directed to **CLOSE**
4 **THIS CASE**.

5 DATED July 13, 2017.

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10 Jennifer A. Dorsey
11 United States District Judge
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